

REMARKS

Claims 1-39 were pending in this application. Claims 1-39 have been cancelled without prejudice. Applicants reserve the right to pursue the subject matter of cancelled claims 1-39 in one or more related applications. New claims 40 to 69 have been added. Support for the new claims may be found throughout the specification as filed, for example as set forth in the table below.

New Claim	Exemplary support in the specification as filed
40, 60	paragraphs [0006], [0007], [0020], [0074], [00104], and [00177]
41, 61	paragraphs [0012], [00169] to [00171]
42-44, 62-64	paragraph [0010]
45, 65	paragraph [0011]
46, 47, 66, 67	paragraph [0011]
48, 49	paragraph [0010]
50	paragraph [0006]
51, 52	paragraph [0010]
53, 54, 68	paragraph [0015]
55	paragraph [0014]
56	paragraph [00126]
57, 69	paragraph [0017]
58, 59	paragraphs [00134] and [00135]

Accordingly, no new matter is added by these amendments. Upon entry of the amendments made herein, claims 40 to 69 will be pending.

Species Election

Applicants note that the Examiner has not imposed a Restriction Requirement, but requires a species election. In particular, the Examiner requires an election of one species from each of the following groups:

- (A) Neoplastic disorders;
- (B) Variable light chain regions:
 - i. FRL1 SEQ ID NO: 20-25;

- ii. CDRL1 SEQ ID NO: 99-103;
 - iii. CDRL2 SEQ ID NO: 104-114;
 - iv. FRL3 SEQ ID NO: 30-56;
 - v. CDR3 SEQ ID NO: 115-116; and
 - vi. FRL4 SEQ ID NO: 57-59;
- (C) Variable light chain region of SEQ ID NO: 3, 5, 7, 93, 95, 97, 142, 144, and 150;
- (D) Variable heavy chain regions:
- i. FRH1 SEQ ID NO: 60-66;
 - ii. CDRH1 SEQ ID NO: 117-122;
 - iii. FRH2 SEQ ID NO: 67-75;
 - iv. CDRH2 SEQ ID NO: 123-134;
 - v. FRH3 SEQ ID NO: 76-90;
 - vi. CDRH3 SEQ ID NO: 135-141; and
 - v. FRH4 SEQ ID NO: 91-92; and
- (E) Variable heavy regions of SEQ ID NO: 4, 6, 8, 94, 96, 98, 143, 145, 146, 147, 148, and 149.

In order to be fully responsive, Applicants hereby elect the following species from each of groups (A) to (E):

- (A) Breast cancer (species of neoplastic disorder or cancer);
- (B) Variable light chain regions:
 - i. SEQ ID NO: 21 (species of FRL1 sequence);
 - ii. SEQ ID NO: 99 (species of CDRL1 sequence);
 - iii. SEQ ID NO: 104 (species of CDRL2 sequence);
 - iv. SEQ ID NO: 31 (species of FRL3 sequence);
 - v. SEQ ID NO: 115 (species of CDRL3 sequence);
 - vi. SEQ ID NO: 58 (species of FRL4 sequence);
- (C) SEQ ID NO: 142 (species of variable light chain region sequence);
- (D) Variable heavy chain regions:
 - i. SEQ ID NO: 65 (species of FRH1 sequence);

- ii. SEQ ID NO: 117 (species of CDRH1 sequence);
- iii. SEQ ID NO: 68 (species of FRH2 sequence);
- iv. SEQ ID NO: 123 (species of CDRH2 sequence);
- v. SEQ ID NO: 80 (species of FRH3 sequence)
- vi. SEQ ID NO: 135 (species of CDRH3 sequence);
- vii. SEQ ID NO: 92 (species of FRH4 sequence);

(E) SEQ ID NO: 143 (species of variable heavy region sequence).

However, Applicants traverse the requirement for electing a species from the following groups, since such requirement is moot in view of the amendments made herein: group (B)(i) FRL1 sequences, group (B)(iv) FRL3 sequences, group (B)(vi) FRL4 sequences, group (D)(i) FRH1 sequences, group (D)(iii) FRH2 sequences, group (D)(v) FRH3 sequences, and group (D)(vii) FRH4 sequences. In particular, the claims as amended do not recite an FRL1 sequence, FRL3 sequence, FRL4 sequence, FRH1 sequence, FRH2 sequence, FRH3 sequence, or FRH4 sequence. Accordingly, Applicants respectfully request that the requirement for electing a species from group (B)(i) FRL1 sequences, group (B)(iv) FRL3 sequences, group (B)(vi) FRL4 sequences, group (D)(i) FRH1 sequences, group (D)(iii) FRH2 sequences, group (D)(v) FRH3 sequences, and group (D)(vii) FRH4 sequences, be withdrawn.

Applicants believe that new claims 40-69 are readable on the elected species. Applicants believe that new claims 40-69 are encompassed by the invention to be examined.

Upon the allowance of a generic claim, Applicants respectfully request the Examiner's consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

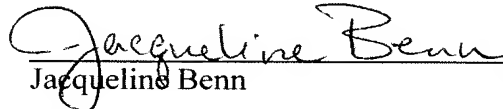
CONCLUSION

Applicants respectfully request that the above remarks and amendments be entered and made of record in the file history of the present application.

Applicants believe no fees are due in connection with this response. However, if there are any fees due, please charge them to Jones Day Deposit Account 50-3013. Also, please charge any fees underpaid or credit any fees overpaid to the same Deposit Account.

Respectfully submitted,

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